IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO. 139 OF 2006
IN
WRIT PETITION NO. 147 OF 2003

Anu Texcchem Products (Pvt) Ltd. ... Petitioner

Vs.

Shramik Sahakari Bank Ltd. ... Respondents

And

M/s. August Lighting Industries ... Applicant

Mr. Sanjay Jain with Mr. Lalit S. Jain for Petitoner.

Mr. A.S. Desai for R. No. 1.

Mr. Dilip Taur for Applicant.

CORAM: F.I. REBELLO &
MRS.V.K.TAHILRAMANI,JJ.
DATE : 23RD JUNE, 2006

P.C.:

. The case of the applicant is that they were successful bidders in the property auctioned by respondent Bank in respect of certificate obtained by them against the Petitioners herein. It is the case of Respondent Bank that the money has been returned back to the applicant which has been received by the applicant. The respondent bank further says that they arrived at the compromise in respect of the dues.

. Though the applicant might have been an

interested party, being successful bidder, by the fact that money was accepted back by the applicant, his interest in the auction ceases and consequently the petitioner is neither necessary nor proper party for the purpose of disposal of the petition. Consequently, Chamber Summons dismissed.

(MRS.V.K.TAHILRAMANI,J.) **(F.I.REBELLO, J.)**